### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SCHMOLL ET AL.

Examiner:

T. MAUST

10/661,459

Group Art Unit:

3751

Filed:

**SEPTEMBER 10, 2003** 

Docket:

3788.52US01

Confirmation No.:

7150

Due Date:

MARCH 2, 2005 (30 Day Date)

Title:

TEMPERATURE CONTROLLED FROZEN FOOD DISPENSER

#### **CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 February 22, 2005.

By:

Name

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

We are transmitting herewith the attached:

Transmittal Sheet in duplicate containing Certificate of Mailing

Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of Partial International Search Report

Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

> Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 612.332.5300

Name: Joshna N. Randal

Reg. No./ 50,719 JRandalkPLSkig



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

SCHMOLL ET AL.

Examiner:

T. MAUST

Serial No.:

10/661,459

Group Art Unit:

3751

Filed:

**SEPTEMBER 10, 2003** 

Docket No.:

3788.52US01

Title:

TEMPERATURE CONTROLLED FROZEN FOOD DISPENSER

#### **CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 February 22, 2005.

By: Name: KATE GANNON

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of a Partial International Search Report. At least some of the references were recently cited in the Partial International Search Report mailed January 31, 2005.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

# Certification Under 37 C.F.R. § 1.704(d)

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information

Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 (612) 332-5300

Date: Feb. 22,2005

Joshua M. Randall Reg. No. 50,719

JNR:PESKI

23552
PATENT TRADEMARK OFFICE

(10)	
FØR 10 449 6	
INEO	RMATION DISCLOSURE STATEMENT
FEB 2 5 2005 &	IN AN APPLICATION
The second	(Use several sheets if necessary)
PADEMARIE	

Docket Number:	Application Number:
3788.52US01	10/661,459

Applicant: SCHMOLL ET AL.

Filing Date: 09/10/2003 Group Art Unit: 3751

U.S. PATENT DOCUMENTS								
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
	5,191,918	03/09/1993	Cahlander et al.					
	5,556,000	09/17/1996	Covington et al.					
·	5,778,767	07/14/1998	Rudesill					
		,						
						L		
	<b>.</b>	FOR	EIGN PATENT DOCUME	NTS	<del></del>			
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
						YES	NO	
	WO 91/04933	04/18/1991	PCT			abstract		
	OTHER:	DOCUMENTS	(Including Author, Title, Da	ite, Pertinent P	Pages, Etc.)			
					·····			

23552
PATENT TRADEMARK OFFICE

EXAMINER		DATE CONSIDERED		-	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.